

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: THEODORE A. KOLB,
Debtor.

No. C 06-06035 SI

**ORDER REFERRING CASE FOR
CONSIDERATION OF WHETHER
EARLIER-FILED CASES ARE
RELATED**

ROBERT M. CASSEL, on behalf of this Chapter
11 Estate, and UECKER & ASSOCIATES,
INC., LIQUIDATING TRUSTEE,

Plaintiffs,

v.

RUTH P. GLOBERSON, FELIX O. KOLB,
THEODORE A. KOLB, JONATHAN KOLB,
RICHARD KOLB, and DOUGLAS KOLB,

Defendants.

Defendants Ruth P. Globerson, Felix O. Kolb, Theodore A. Kolb, Jonathan Kolb, Richard Kolb, and Douglas Kolb have filed a motion to file an interlocutory appeal from recent orders of the Bankruptcy Court in the adversary proceeding brought by Robert M. Cassel (Bankruptcy Court Case No. 97-32321-DM-11; Adversary Proceeding No. 99-3144 DM).

In the Bankruptcy Court, defendants also filed a Notice of Related Cases in District Court, identifying the case entitled *Robert M. Cassel v. Hilde Kolb, Trustee, Jonathan Kolb, Richard Kolb and Douglas Kolb*, Case No. C-00-0912-PJH, filed in the United States District Court, Northern District of California, as a related case involving the same adversary proceeding and arising out of the same transaction. Thereafter, also in the Bankruptcy Court, plaintiff Cassel filed an Opposition to Notice of Related Cases in District Court. Neither of these notices was filed in this Court.

Pursuant to Civil Local Rule 3-12(c), this case is referred to the Honorable Phyllis J. Hamilton,

1 United States District Judge, Northern District of California, to consider whether the cases are related.
2 Copies of the Notice of Related Case and the Opposition thereto from the Bankruptcy Court file are
3 attached to this referral.
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5 **IT IS SO ORDERED.**

6 Dated: October 30, 2006
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8 SUSAN ILLSTON
9 United States District Judge
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